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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/005,314	12/07/2001	Amit Baruch	P-3782-US	7924
24505	7590	01/23/2006	EXAMINER	
DANIEL J SWIRSKY 55 REUVEN ST. BEIT SHEMESH, 99544 ISRAEL			ALBERTALLI, BRIAN LOUIS	
			ART UNIT	PAPER NUMBER
			2655	

DATE MAILED: 01/23/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/005,314

Applicant(s)

BARUCH ET AL.

Examiner

Brian L. Albertalli

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 November 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 20-26, 28 and 30-32 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 20-26, 28 and 30-32 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on November 7, 2001 has been entered.

Response to Arguments

2. Applicant's arguments filed November 7, 2001 have been fully considered but they are not persuasive.

Independent claims 20 and 28 have been amended to include the limitation to include "at least two speech recognition engines each specific to one non-dialing feature". The Applicant has alleged that Stammler et al. do not teach or suggest performing speech recognition for non-dialing features (page 6, 3rd paragraph of Applicant's arguments). However, Stammler et al. specifically teach recognizing at least two different non-dialing features, including multiword commands (column 12, lines 45-47) and names or function words which are associated with non-dialing functions (such as a station frequency of a radio station list or a target location for navigation systems, column 12, lines 41-43 and 48-53). Additionally Stammler et al. teach recognizing

functions, while related to telephone activities, that are not dialing features (such as storing numbers/names, column 14, lines 25-39).

While Stammler et al. do not teach that each non-dialing feature is associated with a separate speech recognition engine that is specific to that function, Brown et al. disclose using multiple speech recognition engines that are each assigned to recognize a particular type of spoken utterance increases the accuracy of recognition results and allows recognition to proceed more quickly and with less disruption to the user (column 6, lines 29-36). Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Stammler et al. to include at least two speech recognition engines each specific to one non-dialing feature.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims ^{20-24,}~~20-26~~, 28, and ³¹~~30-32~~ are rejected under 35 U.S.C. 103(a) as being unpatentable over Stammler et al. (U.S. Patent 6,839,670), in view of Brown et al. (U.S. Patent 6,377,922).

In regard to claims 20 and 28, Stammler et al. disclose a device (Fig. 2) and cellular telephone (a car phone is necessarily a cellular telephone, column 12, lines 38-40) comprising:

a feature command speech recognition unit to perform recognition of a user command requesting a non-dialing feature of said device (speaker independent recognizer recognizes the user's request of a function, including non-dialing functions such as station frequency, column 12, lines 41-43 and 48-53 and column 13, lines 22-34);

at least two speech recognition engines, one of which is specific to one non-dialing feature of the device to perform recognition on a voice input (when the user selects the "name selection" function, a switch to the speaker-dependent recognizer is made to recognize the name, including names or functions associated with non-dialing features, column 12, lines 41-43 and 48-53, column 13, lines 47-51); and

a control unit to activate at least one of said at least two non-dialing feature specific speech recognition engines in accordance with the output of said non-dialing feature command speech recognition unit (the "name selection" function switches control to the speaker-dependent recognizer, column 13, lines 47-51) and to operate said non-dialing feature of said device using recognition results from said selected non-dialing feature-specific speech recognition engine whenever user input is required (the speaker-dependent recognizer is used to recognize the input of a name and the results are used to perform a function associated with that name, column 12, lines 41-43 and lines 50-53; column 13, lines 52-67 and Fig. 9).

Furthermore, as explained in the Response to Arguments section above, Stammer et al. specifically teach recognizing at least two different non-dialing features, including multiword commands (column 12, lines 45-47) and names or function words

which are associated with non-dialing functions (such as a station frequency of a radio station list or a target location for navigation systems, column 12, lines 41-43 and 48-53). Additionally Stammli et al. teach recognizing functions, while related to telephone activities, that are not dialing features (such as storing numbers/names, column 14, lines 25-39)

Stammli et al. do not disclose that each and every function that is available to the device is associated with a separate speech recognition engine that is specific to that function (speaker-independent recognizer is used to recognize the user's request of a function, as well as number dialing, see column 14, lines 2-6 and Fig. 10).

Brown et al. disclose a plurality of speech recognition engines (Fig. 1, 105-107) and disclose that different speech recognition engines have different capabilities and provide varying degrees of reliability under different circumstances (column 3, lines 25-31). Further, Brown et al. disclose that using multiple speech recognition engines that are each assigned to recognize a particular type of spoken utterance increases the accuracy of recognition results and allows recognition to proceed more quickly and with less disruption to the user (column 6, lines 29-36).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Stammli et al. to include a separate speech recognition engine for each available non-dialing function in the device, in order to increase the accuracy of recognition results and allow recognition to proceed more quickly and with less disruption to the user, as taught by Brown et al. (column 6, lines 29-36).

In regard to claim 21, Stammlier et al. disclose the device is a telephone (column 12, lines 38-40), computer (workstation, column 12, lines 40-44), a car accessory (the telephone is a car phone, and the device can be used as a car navigation device, column 12, lines 38-44), an audio device (a telephone is an "audio device"), and a voice controlled appliance (any device with speech recognition capabilities is a "voice controlled appliance").

In regard to claim 22, Stammlier et al. disclose the telephone is a portable telephone and a cellular telephone (a car telephone is necessarily portable and must necessarily be a cellular telephone, column 12, lines 38-40).

In regard to claims 23 and 31, Stammlier et al. disclose a loader to load and unload said speech recognition devices independently of each other (the loading of the speaker dependent speech recognizer depends only on the function selected by the user, and not the loading of the speaker independent speech recognizer, column 13, lines 47-51 and Fig. 9).

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In regard to claim 24, Stammlier et al. disclose the feature commands are a function of the type of device which said device is (for example, if the device is a telephone the dialing of a telephone number would be a function, and for a radio, the selection of a station frequency would be a function column 12, lines 48-53).

In regard to claims 26 and 30, Stammler et al. do not disclose a feature is associated with at least two speech recognition engines and said control unit activates said at least two speech recognition engines in parallel.

Brown et al. disclose recognizing a command with two speech recognition engines in parallel (column 5, lines 54-67).

It would have been obvious to one of ordinary skill in the art at the time of invention to modify Stammler et al. to recognize associate a feature with at least two recognition engines and activate at least two recognition engines in parallel, in order to allow speech recognition to proceed more quickly and accurately, with less disruption to the user, as taught by Brown et al. (column 6, lines 29-36).

5. Claims 25 and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stammler et al., in view of Brown et al., and further in view of Official Notice.

In regard to claims 25 and 32, Stammler et al. disclose any functions may be included as feature commands (column 13, lines 34-36).

Stammler et al. and Brown et al. do not explicitly disclose that the additional functions are selected from the group consisting of MESSAGES, CALENDAR, TO DO, MEMO, FAX, and EMAIL.

Official notice is taken that it is notoriously well known in the art to incorporate non-dialing features (such as a calendar) into a device such as a portable telephone, so that a separate device is not needed for each specific function (i.e. a separate calendar device, fax device, etc.).


It would have been obvious to one of ordinary skill in the art at the time of invention to further modify the combination of Stammier et al. and Brown et al. to include feature specific speech recognition engines for feature commands selected from the group consisting of MESSAGES, CALENDAR, TO DO, MEMO, FAX, and EMAIL, so that a separate device would not be needed for each function. Additionally, using multiple speech recognition engines that are each assigned to recognize a particular type of spoken utterance (such as a specific feature command) increases the accuracy of recognition results and allows recognition to proceed more quickly and with less disruption to the user.

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brian L. Albertalli whose telephone number is (571) 272-7616. The examiner can normally be reached on Mon - Fri, 8:00 AM - 5:30 PM, every second Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



WAYNE YOUNG
SUPERVISORY PATENT EXAMINER

BLA 1/17/06